GOVERNMENT OF INDIA
WOMEN AND CHILD DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:3358
ANSWERED ON:12.12.2014
RIGHTS OF CHILD
Girri Shri Maheish;Singh Shri Dushyant

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

(a) whether India had ratified the United Nations Convention of Rights of the Child ;

(b) if so, the salient features of the convention along with the progress made by the Government in this regard and the steps taken by the Govern- ment to rehabilitate children who have been forced into labour;

(c) whether the Government has taken note of increasing number of cases of child rights violations in the country;

(d) if so, the details thereof, State/UT-wise during the last three years and the current year along with the remedial steps taken by the Government in this direction;

(e) whether her Ministry is working in coordination with the HRD Ministry to ensure that rescued children are admitted in Government schools and given compulsory education; and

(f) if so, the details thereof and the steps being taken in this regard?

Answer

MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI)

(a) India had ratified the United Nations Convention on the Rights of the Child (CRC) on 11th December, 1992.

(b) The Convention contains 54 Articles and is based on four core principles. These are:-

(i) Non- discrimination
(ii) Rights to Life, Survival and Development
(iii) Respect for the Views of the Child
(iv) Best Interest of the Child.

The Government has taken several steps to implement the Convention. The recently adopted National Policy for Children, 2013 is based on the principles of CRC. The Juvenile Justice (Care and Protection of Children) Act, 2000 is the principle law for children in conflict with law and children in need of care and protection. The Protection of Children from Sexual Offences Act, 2012 protects children from sexual assault, sexual harassment and pornography by providing child friendly procedures for reporting, recording and trial of offences. The Integrated Child Protection Scheme (ICPS) of the Government aims to strengthen prevention of child rights violation in the country. The scheme is being implemented across the country from 2009-10 with the aim of putting in place, a safety net of exclusive structure, services and trained personnel for the protection of children in difficult circumstances. ICPS provides financial resource to States/ UTs for the effective implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000.

The National Commission for Protection of Child Rights (NCPCR), set up in 2007 under the Commission for Protection of Child Rights Act, 2005, has the mandate to protect and promote the rights of children. NCPCR is also mandated to take suo moto cognizance of violation of child rights and examine factors that inhibit the enjoyment of rights of children.

For rehabilitation of children rescued from hazardous occupations and processes, Ministry of Labour & Employment is implementing the National Child Labour Project (NCLP) Scheme since 1988 in the areas of high concentration of child labour and mainstreams them into formal education system. Under the NCLP Scheme, children rescued/withdrawn in the age group of 9-14 years are enrolled in the NCLP Special Training Centres, where they are provided with bridge education, vocational training, mid day meal, stipend, health care, etc. before being mainstreamed into formal education system. At present the scheme is approved for 270 Districts in 21 States of the country.

(c) Yes, Madam.

(d) NCPCR has registered 3734 complaints pertaining to child rights violation during the last three years and the current year 2014-15. The State/UT-wise details are given in Annexure.
The steps taken by NCPCR for protection of child rights are as follows:

(i) Under Section 13 (I) of CPCR Act, 2005, the Commission has been organizing workshops, seminars and training programmes for various stake holders to create awareness on the issue of child rights. Also the Commission publishes various IEC materials for awareness generation;

(ii) The Chairperson/Members of the Commission had been visiting child care institutions, schools, aanganwadi centres of various States/ UTs and giving their recommendations based on the observations made during their visits;

(iii) Under Section 13 (I) (a) of CPCR Act, the Commission has been reviewing various laws and policies affecting children and giving its recommendations from time to time.

(e) &(f): The Rights of Children to Free and Compulsory Education (RTE) Act, 2009 being administered by Ministry of Human Resource Development, provides free and compulsory elementary education to all children of the age six to fourteen years. This Act came into force from 1st April, 2010 and is being implemented in all the States/UTs of India except Jammu & Kashmir. Section 17(1) & (2) of the RTE Act, 2009 stipulates:-

(i) no child shall be subjected to physical punishment or mental harassment;

(ii) whoever contravenes the provisions of sub-action (1) shall be liable to disciplinary action under the service rules applicable to such person.

It is for the State Governments/UT Administrations to ensure safety and security of School Children.